

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA** )  
 )  
 )  
 )  
**V.** ) **CR. NO.: 2:07mj88-SRW**  
 )  
 )  
**THOMAS EARL DOUGLAS** )

**WAIVER OF PRELIMINARY HEARING  
IN THE MIDDLE DISTRICT OF ALABAMA  
AND CONSENT TO TRANSFER TO THE DISTRICT OF VERMONT**

**COMES NOW** the Defendant, Thomas Earl Douglas, by and through undersigned counsel, Jennifer A. Hart, and waives his right to have this Court conduct a preliminary hearing with regard to an arrest warrant filed by the District of Vermont. Additionally, he consents to his transfer to Vermont for all further proceeding regarding said warrant.

In support of this Waiver, Defendant would show that:

1. Mr. Douglas was charged by Indictment in this Court on August 18, 2007 on charges involving sexual exploitation and child pornography.
2. Thereafter, Mr. Douglas moved to dismiss the Indictment on the grounds that it had been filed in the wrong venue.
3. The Government agreed with Mr. Douglas, and on October 4, 2007, this Court dismissed the Indictment against Mr. Douglas which was pending in this jurisdiction.
4. On that same date, Mr. Douglas was arrested on a warrant out of the District of Vermont which, Mr. Douglas had argued, was the appropriate venue for the charges lodged against him in this District. The warrant concerns the same charges which were dismissed by this Court.

5. On October 4, 2007, Mr. Douglas appeared before this Court on the Vermont case for an Initial Appearance.

6. At the Initial Appearance, Mr. Douglas requested that this Court conduct a preliminary hearing regarding the charges contained in the Vermont arrest warrant. The undersigned counsel was not present at that hearing which was handled by another attorney with the Federal Defender Office.

7. Since the date of the Initial Appearance, the undersigned counsel has met with Mr. Douglas and discussed his options. Mr. Douglas now agrees that it is in his best interest to waive the preliminary hearing in this jurisdiction, consent to his transfer to Vermont, and to have a preliminary hearing in the District Court of Vermont. (Attached to this Waiver, as Exhibit A, is a signed Consent Form executed by Thomas Douglas on today's date).

**WHEREFORE**, based upon the foregoing, Thomas Douglas consents to the waiver of the preliminary hearing in this case and consents to his transfer to Vermont. He does not waive his right to a preliminary hearing/detention hearing in that jurisdiction. Accordingly, the preliminary hearing scheduled for October 11, 2007 is due to be canceled.

Dated this 10<sup>th</sup> day of October, 2007.

Respectfully submitted,

s/Jennifer A. Hart  
**JENNIFER A. HART**  
FEDERAL DEFENDERS  
MIDDLE DISTRICT OF ALABAMA  
201 Monroe Street, Suite 407  
Montgomery, AL 36104  
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jennifer\_hart@fd.org  
AL Bar Code: HAR189

**CERTIFICATE OF SERVICE**

I hereby certify that on October 10, 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Nathan Stump, Esquire  
Assistant United States Attorney  
131 Clayton Street  
Montgomery, AL 36104

Respectfully submitted,

s/Jennifer A. Hart  
**JENNIFER A. HART**  
FEDERAL DEFENDERS  
MIDDLE DISTRICT OF ALABAMA  
201 Monroe Street, Suite 407  
Montgomery, AL 36104  
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DEFENDANT'S CONSENT  
TO TRANSFER TO THE DISTRICT OF VERMONT

I , Thomas Earl Douglas, having been advised of my right to a preliminary hearing in the Middle District of Alabama, do hereby consent to waive said hearing in this jurisdiction and consent to my transfer to the District of Vermont for all further proceedings. I do not waiver either a preliminary hearing or detention hearing in the District of Vermont and request that said hearings be held promptly upon my transfer to that jurisdiction.

Thomas Earl Douglas  
Thomas Earl Douglas

Thomas Earl Douglas

10-10-07  
Date